

Remarks

35 U.S.C. 102(b) Rejections of Claims 1-2, 4, 13-14 and 37-38. In response to the Examiner's rejection of claim 1 as being anticipated by Gago (USP 4,470,839) under 35 U.S.C 102(b), the Applicant disagrees with the Examiner for the reasons stated below.

The Applicant has rewritten Claim 1, amended herein, to add further limitations based on disclosures contained in the inventor's specification that clearly define the subject matter of the present invention. These limitations are believed to clearly distinguish the subject matter of the present invention from the prior art cited. First, the purpose of the invention as repeatedly disclosed in the inventor's specification is now clearly recited in Claim 1. Next, the limitation of the composition comprising "a dry mixture of discrete particles" of the said "a source of active oxygen and "b" complex inorganic phosphates is now stated as property "c" of the composition. This limitation is thoroughly discussed in the Applicant's Amendment A. As stated herein, property "d" of the composition of Claim 1 further limits the composition as comprising the forms of granules, briquettes, tablets, capsules, and/or pellets of the dry mixture "c" of the ingredients "a" and "b". The advantages of the inventor's composition in the forms of the granules, briquettes, tablets, capsules, and/or pellets and like is disclosed repeatedly throughout the inventor's specification. Specific disclosures of the advantages of the granular form of the inventor's composition are provided in examples 1-3 (pages 21-23). In particular, the previously unexpected advantages of the "stable" (non-disintegrating) granular form of the inventor's composition is provided in the inventor's example 3 (page 23, table 2, figure 2).

Example 3 in the inventor's specification (page 23, table 2, figure 2) illustrates unexpected advantages of the present invention that are neither anticipated by or obvious from the

teachings of Gago. First, the stable granular form of the inventor's composition without the addition of a disintegrant was observed to prevent the composition (as applied in filter socks) from swelling and becoming stuck in the test wells. Most surprising was the observation that the stable granular form of the composition produced higher levels of oxygen for longer time periods (example 3, page 23, table 1, figure 2) than the disintegrating-granular form of the composition (see example 1, page 21). Further information was provided in the Applicant's Amendment A to clarify the unanticipated and non-obvious improvements in oxygen-release properties of the stable granular form of the composition and to explain how such advantages are attributable to the interrelated properties of both the formulation and form of the composition. The further limitations and revisions to Claim 1, as amended herein, are intended to more clearly define the present invention as exemplified by example 3 as referenced above.